

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL
TUESDAY, FEBRUARY 26, 2008
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

5 P.M. SPECIAL COUNCIL MEETING (Study Session)

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene Study Session – **Council Meeting Security**
4. Public Comments
5. Adjourn Special Meeting

5:30 P.M. SPECIAL COUNCIL MEETING (Study Session)

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene Study Session – **Equitable Adjustment to Green Team/Zanker
Compensation Resulting from Materials Recovery Facility
Construction Shutdown**
4. Public Comments
5. Adjourn Special Meeting

6:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
 - **Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 potential case**
4. Adjourn Special Meeting

7 P.M. REGULAR MEETING

SALUTE TO THE FLAG

ROLL CALL

(Per Council Policy, the City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain and will be placed at the beginning of the public hearings/general business portion of the ensuing agenda. At approximately 9:30 p.m., Council will make an

announcement indicating that items may not be heard after 11:30 p.m. Information provided herein could be subject to change from date of printing of the agenda to the date of the meeting.)

CLOSED SESSION REPORT FOR FEBRUARY 26, 2008

Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 potential case

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

CONSENT CALENDAR

- 1.A. MOTION Approval of Draft Minutes of January 29, 2008
- 1.B. MOTION Approval of Draft Minutes of February 1, 2008
- 1.C. MOTION Approval of Draft Minutes of February 12, 2008
- 1.D. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.E. MOTION List of Claims and Bills Approved for Payment by the City Manager –
RTC 08–051 List No. 388 & 389

Staff Recommendation: Council reviews the attached list of bills.

Staff Contact: Mary Bradley, (408) 730-7398

- 1.F. MOTION Payment for Santa Clara County Crime Lab Services
RTC 08–050

Staff Recommendation: Council approves payment of \$133,747 to the Santa Clara County Office of the District Attorney for crime lab services.

Staff Contact: Heather Tannehill, (408) 730-7157

- 1.G. MOTION Proposal to Apply for Health Trust Grant for the Sunnyvale Senior
RTC 08–054 Center and Approval of Budget Modification No. 36

Staff Recommendation: Council approves acceptance of any grant funds awarded by the Health Trust to replace and upgrade existing equipment in the Senior Center Fitness Room and approve Budget Modification No. 36 in the amount of \$25,000 for FY 2007/2008. Given the condition and high traffic use of the Fitness Room at the Senior Center, replacement of existing equipment will enhance the participant's use of the Fitness Room, help retain current Senior Center members while attracting new members, and contribute to healthy aging. Also, with the recent opening of new Senior Centers at Mt. View and Santa Clara, an upgrade to the current equipment will place the Sunnyvale Senior Center on par with emerging fitness room trends in the Bay Area.

Staff Contact: Nancy Steward, (408) 730-7342

Personnel Items

- 1.H. RESOLUTION Amendment to the Schedule of Pay of the Salary Resolution: Salary
MOTION Adjustment for Pay Plan Category A (applies to Classified Public
RTC 08-059 Safety Dispatchers-in-Training, Dispatchers, and Senior Dispatchers)

Staff Recommendation: Council amends Section 2.000 (Pay Plan Category A) of the Schedule of Pay of the Salary Resolution to reflect the new pay rates, effective February 10, 2008.

Staff Contact: Tammy Parkhurst, (408) 730-7498

Contract Items

- 1.I. MOTION Award of Request for Proposals No. F0707-19 to Develop a Strategic
RTC 08-058 Infrastructure Plan for the Sunnyvale Water Pollution Control Plant

Staff Recommendation:

- Council awards a contract to Brown and Caldwell, in the same form as the attached draft and in an amount not to exceed \$771,517, to develop a strategic infrastructure plan for the Water Pollution Control Plant; and
- Council approves a project contingency in the amount of \$77,152.

Staff Contact: Mary Bradley, (408) 730-7398

Other Items

- 1.J. MOTION Ratification of Council Intergovernmental Committee Appointments
RTC 08-052

Staff Recommendation: Council ratifies the appointment of Mayor Spitaleri to the National League of Cities' Public Safety and Crime Prevention (PSCP) Policy and Advocacy Committee.

Staff Contact: Yvette Agredano, (408) 730-7536

- 1.K. MOTION Frances Street Transit Center Project, Authorization for the City
RTC 08-056 Manager to Execute an Operations and Maintenance Agreement with
the Santa Clara Valley Transportation Authority

Staff Recommendation: Council authorizes the City Manager to execute the attached draft Operations and Maintenance Agreement with the Santa Clara Valley Transportation Authority for the Frances Street Transit Center.

Staff Contact: Jack Witthaus, (408) 730-7330

- 1.L. MOTION Tasman/Fair Oaks Area Streetscape and Sense of Place Acceptance
RTC 08-064 of Grant Funding from the Santa Clara Valley Transportation
Authority and Approval of Budget Modification No. 35

Staff Recommendation: Council authorizes the City Manager to execute the necessary agreements to accept grant funding from the Santa Clara Valley Transportation Authority (VTA) Transportation Fund for Clean Air Program Manager grant program for construction of the Tasman/Fair Oaks Area Streetscape and Sense of Place Enhancement Project and approve Budget Modification No. 35.

Staff Contact: Jack Witthaus, (408) 730-7330

- 1.M. MOTION California Department of Transportation Planning Grants Fiscal Year
RTC 08-055 2008-09 – Authorization to Submit Grant Applications

Staff Recommendation: Council authorizes staff to apply for the two selected Transportation Planning Grants applicable for the East Sunnyvale Land Plan, and the El Camino Real Master Multi-Modal Plan and Design Program. Each of the grant funding requires a local match of 20% of the total project cost.

Staff Contact: Jack Witthaus, (408) 730-7330

**STAFF RESPONSES TO
PRIOR PUBLIC COMMENTS**

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION 2007-0754 Study Issue: Parking Requirements for Residential and
RTC 08-061 Commercial Developments

Staff Recommendation: Council directs staff to prepare amendments to the zoning code to require clarification of parking rates and to codify parking management requirements, as shown in Attachment G.

Staff Contact: Noren Caliva, (408) 730-7637

3. MOTION Options for Dealing with Extraordinary Public Safety Responses to Large
RTC 08-060 Gathering Places and Entertainment Venues (Study Issue) and New
Permit Requirements for Special Events

Staff Recommendation: Council adopts Sunnyvale Municipal Code 9.45 Special Event Permits and Chapter 9.47 Extraordinary Public Safety Service Liability.

Staff Contact: Mark Stivers, (408) 730-7123 and Patricia Lord, (408) 730-8477

4. MOTION Approval of Budget Priority Setting Tool, Process, and Schedule and
RTC 08-062 Appointment of Council Sub-Committee

Staff Recommendation:

- Council approves the ranking criteria as detailed in Attachment A and B;
- Council creates and appoints no more than three Councilmembers to a sub-committee to review the proposed priority rankings for all City services and projects; and
- Council approves the proposed implementation schedule as detailed in this report.

Staff Contact: Grace Leung, (408) 730-2711

5. MOTION Adoption of 2008 Tentative Council Meeting Agenda Calendar and
RTC 08-065 Budget Modification No. 34

Staff Recommendation:

- Council approves the calendar as submitted (Attachment A); and
- Council approves Budget Modification No. 34 as submitted.

Staff Contact: Yvette Agredano, (408) 730-7536

6. MOTION 2008 Priority Issues and Legislative Advocacy Positions (LAP) and
RTC 08-063 Revised Lap Policy 7.3.2

Staff Recommendation: Council approves the proposed 2008 Legislative Advocacy Positions, 2008 Priority Issues, and revised Council Policy 7.3.2 *Legislative Advocacy Positions*.

Staff Contact: Yvette Agredano, (408) 730-7536

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- RTC 08-057 Board and Commission Resignation
- RTC 08-053 Opportunity for Council to Appeal Decisions of the Planning Commission Meeting of February 11, 2008 and the Administrative Hearing of February 13, 2008
- Study Session Summary – Revised Plans for Redwood Square (Town Center Redevelopment Project)
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of November 15, 2007
- Revised Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of November 15, 2007
- Draft Minutes of the Parks and Recreation Commission Meeting of December 12, 2007
- Draft Minutes of the Arts Commission Meeting of January 16, 2008
- Draft Minutes of the Bicycle and Pedestrian Advisory Commission Meeting of Special Meeting on January 31, 2008
- Draft Minutes of the Board of Library Trustees Meeting of February 4, 2008
- Draft Minutes of the Heritage Preservation Commission Meeting of February 6, 2008

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME	PLACE
February 26, 2008	Council Meeting	7 p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

February 27, 2008	Administrative Hearing	2 p.m.	West Conf. Room
February 27, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
March 3, 2008	Board of Library Trustees	7 p.m.	Council Chambers
March 5, 2008	Heritage Preservation Commission	7 p.m.	West Conf. Room
March 10, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
March 10, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 12, 2008	Administrative Hearing	2 p.m.	West Conf. Room
March 12, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
March 17, 2008	Personnel Board	5 p.m.	Council Chambers
March 19, 2008	Arts Commission	7 p.m.	Council Chambers
March 20, 2008	Bicycle and Pedestrian Advisory Commission	6:30 p.m.	West Conf. Room
March 24, 2008	Planning Commission Study Session	7 p.m.	West Conf. Room
March 24, 2008	Planning Commission Public Hearing	8 p.m.	Council Chambers
March 26, 2008	NOVA Board Meeting	12 p.m.	NOVA Board Room
March 26, 2008	Administrative Hearing	2 p.m.	West Conf. Room
March 26, 2008	Housing & Human Services Commission	7 p.m.	West Conf. Room
April 9, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
April 16, 2008	Arts Commission	7 p.m.	Council Chambers
May 14, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers
May 21, 2008	Arts Commission	7 p.m.	Council Chambers
June 11, 2008	Parks and Recreation Commission	7 p.m.	Council Chambers

CHANNEL 15 – KSUN

February 26, 2008	City Council Meeting – Live	7 p.m.
February 27, 2008	City Council Meeting – Replay of February 26, 2008	7 p.m.
March 2, 2008	City Council Meeting – Replay of February 26, 2008	4 p.m.